

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:12-cr-127
v.)	
)	COLLIER / LEE
CARLOS FALLINS)	

ORDER

Before the Court is Defendant's unopposed motion to continue competency hearing, which is currently scheduled for September 24, 2013, for approximately two weeks [Doc. 39]. For cause, Defendant's counsel states that she has requested, and the Government is obtaining, additional records from the Federal Bureau of Prisons which are needed so that forensic psychiatrist Dr. Sally Johnson may complete her competency assessment. The motion further states that the government has no objection to Defendant's motion for continuance of the competency hearing.

I find that the period of delay as a result of this Order is necessary to determine Defendant's condition and whether he is mentally competent and is therefore excludable under Title 18 U.S.C. § 3161(h)(4). I further find that any period of delay resulting from this continuance is justified under Title 18 U.S.C. § 3161(h)(7)(A) in that the ends of justice served by taking this action outweigh the best interest of the public and the Defendant to a speedy trial because the delay is relatively short; the reasons for the delay are legitimate; and the government has no objection to the continuance. Because these factors favor the continuance, the motion [Doc. 39] is **GRANTED**.

SO ORDERED.

ENTER:

s/ Susan K. Lee
SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE